

Ventnor City Planning Board

June 27, 2022

- Start of Meeting: 6:30 pm
- Flag Salute
- Roll Call

Name	Present	Absent
Jay Cooke	X	
Roman Zabihach		X
Commissioner Landgraf		X
Commissioner Kriebel	X	
Thomas Halpin		X
Lorraine Sallata	X	
Dan Smith III	X	
Mike Weissen	X	
Peter Tocco	X	
Tim Koob	X	
Greer Glaskill	X	
Don Siglin	X	
Wendy Bartlett		X

- Adoption of Minutes: 6/8/2022
 - Motion: Lorraine Sallata
 - 2nd: Dan Smith
 - Approve: All
- Adoption of Resolutions
 - P25-2022: 21 S Newark Ave – Sweeney
 - P26-2022: 6801 Atlantic Ave - Port
 - Motion: Peter Tocco
 - 2nd: Greer Gaskill
 - Approve: All

Applicant: 6606 Atlantic Ave

Block 30, Lot 8

Bennett Sady

R3 Zone

C Variances Front Yard – 1st floor porch

Front Yard – 2nd Floor Porch

Represented by Eric Goldstein, Esq.

Sworn in: Robert Lolio – Architect

Bennett Sady

Dan Smith Recuses himself

Sworn in Engineer Roger McLarnon

Eric Goldstein

- Variances are for the 1st and 2nd floor decks
 - Also looking at the 3rd floor deck – want to amend the application
 - Looking for same relief for the 3rd floor deck
 - Want to amend and not have to come back
 - Setback will be a 2' deviation

Jay Cooke: Do the plans reflect this

NO

The Board is not bound by precedent

Can come back

Board discusses with Engineer and Attorney

Roger McLarnon:

- Are the plans sufficient to hear
 - The plans do show the 3rd floor deck
 - Want to bump out 2' more than on the plans
- They are sufficient to hear

Leo Manos – as long as the Board is able to visualize, then it is ok

If not, is OK to come back

Roger McLarnon – Sheet A-104 – Bottom Illustration

- The railing will be 2' closer to Troy Ave
- How much further from the building envelope will it be
 - 5' past – setback to be 7'

Jay Cooke: How big is the 3rd floor deck?

9'x13' now – want it to be 9'x18'

Asks Board is ok to proceed – Board OK

Application is amended for the 3rd floor deck

Will submit any additional plans needed

Roger McLarnon: Basic Simple

- Allow for 5' encroachment
- Only allowed 5' wide deck, want a 7' wide deck
- Also want to add the 3rd floor deck

Peter Tocco: Is this for Atlantic Ave decks?

No for the Troy Ave decks

Jay Cooke: How much are they looking for

- 2' encroachment
- 1st and 2nd floor decks same
- Amended to add 3rd floor

Eric Goldstein: It is a new corner house – Atlantic & Troy Ave

- Will not interfere with any views
- 2 ½ story dwelling – have nice views from decks and porches
 - Only here for the decks on Troy Ave
- 1st floor is 8'4" deck – not as much forward as could go

- House meets or exceeds all requirements

Jay Cooke: page 102 – where is the deck

- Right of bedroom – kind of a side view deck
- Asking for 9'x18' deck – 7' from the property line

Is this in the same line – will it be in line

1st & 2nd floor stick out 2' more than 3rd floor

Peter Tocco: describe how decks work with roof line

Sheet 104 describes the decks

Eric Goldstein: Purpose of the smaller house and the larger decks

- To not infringe on views
- No negatives
- Roof line stays same
- 3rd floor deck – to have a better view to the beach
- Positives outweigh the negatives
- With regards to bulk standards – not maxed out
- For now, a house at the shore – significant less house than others
- Also, not having a pool – want to spend time outside with the views

Roger McLarnon:

- Asking for waiver of landscape – should have
 - Will supply

Jay Cooke: How to deal with Street trees

- On troy don't do
- On Atlantic – can do 4 but 3 would be better

Roger McLarnon: Curb Cut – shows 24' on plan

Only allowed 18'

Commissioner Kriebel: will governor strip be in same location

Yes

2nd floor deck is a design feature for the structure

Yes

Lorraine Sallata: What are the dimensions of the deck?

- 1st Floor – 8'4"x37'-8"
- 2nd floor – 9'10" x 37-8"

Public –

- None

Eric Goldstein – Thank all for amending – Also amend for Street trees and curb cut

Leo Manos – Attorney

- Prepares vote resolution
 - C variance for Decks
 - Compliance plans, Landscaping plan, 3 street trees on Atlantic,

- Motion: Tim Koob
- 2nd: Lorraine Sallata

- Vote:
 - Jay Cooke – Yes
 - Decks enhance property – have an illusion on 3rd floor deck
 - Not an issue with anyone – enhances community
 - Commissioner Kriebel – Yes
 - Having weighed on positives – less mass – design esthetics
 - Drives variances – enhances corridor
 - Mike Weissen – Yes
 - Agree on all comments – love the new look – more outdoor space
 - Perfect location
 - Lorraine Sallata – Yes
 - Understand the wish for outdoor space
 - Greer Gaskill – Yes
 - Positives outweigh the negatives – nice looking house
 - Peter Tocco – Yes
 - Agree – outdoor space a premium – elevated yards
 - Tim Koob – Yes
 - Positives outweigh the negatives – love the porches

- **Application approved 7 in favor, 0 opposed**

Applicant: Chabad at the Shore, Inc

30 N Dudley Ave

Block 215, Lot 8

Represented by Joel Fleishman, Esq.

C Variance for fence setback and front curb

D Variance for Use

Waiver of Site Plan

Sworn in: Jon Barnhardt – Engineer and planner

Rabbi Rapoport

Cherry Lemmerman

Sworn in Roger McLarnon

Joel Fleischman- Chabad at the Shore, Inc is a religious non-profit

- Property is located on the corner of Dudley and Calvert in the Heights
- Currently occupied by an Asian Religious group
- Plan to occupy and have services for people in the Heights
- Do not plan or have any parking – most people walk
- If this was a religious-to-religious move it would be OK
- But want to add a Pre-school for young children in the area
 - Would be a beneficial use
- The D Variance is to run the pre-school
 - Would be a beneficial religious use
 - But still need to show no detriment
- If the site is deemed well suited, then deemed well for public welfare

Rabbi Rapoport

- It is difficult for some to come to the shore site
- Another place of service will benefit the community
- Have nice rooms for the pre-school
- The pre-school is already here in other locations – benefits many
- Currently on Atlantic Avenue – want to move to new site
- The current drop-off has no issues – see none with the new

- So important to have a place for parents to bring children
- Great for the neighborhood
- Pre-school must be licensed
 - Gave walkthrough with State and allowed to have up to 23 students

Cherry Lemmerman

- Ventnor Montessori School
- 730 to 430
- Stop, drop, and roll
- No complaints from anyone
- Review self and licensing
- Old fashion way of teaching
- Have run for 11 years
- New site is perfect – have a great feel
- Always have more people than need
- There for the kids and the public
- Anticipate about 20 kids with 3 teachers and self
- Hours start about 730 – staggered drop off
- There is no lingering
- Most are gone by 330
- Play area outside will be all hands on – no equipment

Roger McLarnon – there are 2 classrooms?

- Yes, on the sketch plan

Jay Cooke – what will the hours be

- About 730-400
- No Weekends

Lorraine Sallata – Is there an outdoor play area

Jon Barnhardt to explain

Jon Barnhardt:

- A1 – Aerial photo
- Corner of Calvert and Dudley
- Near old Wawa – Just off Dorset
- R2 Residential Zone
- A2 – Variance Plan
 - Reviews variance plan
 - No renovations or changes
- Proposed changes
 - Loading Zone – Dudley Ave – about 50'
 - Pull up to side of street

- Adequate for number of children
- Fenced in area in front of site
 - For children to go outside
- In front – facing Pickleball parking lot
 - Adding bollards against building
 - Asked for by Dept. of Health
- Fence on back of side wall
 - Will go into City Right of Way
- No interference with existing sidewalk

Jay Cooke – explains Bollards

- On property
- To protect vehicles from hitting building

Mike Weissen – How tall will be the bollards be?

- 48” above existing grade

Jon Barnhardt

- Plan to add landscaping along Dudley
- Plan to relocate sign to corner of property
 - Match existing size
 - About 3.5’x4.5’
- Plan for second sign – on the building – name building
 - A3 – photo of front façade
 - On the small fascia
 - 12’x12” in size
 - Not illuminated
 - But there will be lighting to shine onto it
 - Will need a variance for this

Lorraine Sallata: Is sign on Dudley Illuminated

- Yes, will light up

Dan Smith: What is timing of lights

- Only onto building

Lorraine Sallata: Question on sign on Dudley

- Leo Manos – existing sign is not a variance – Roger McLarnon agrees

Comments from Roger McLarnon Report

- Outside play Area – need City approval
- If bring fence in – will lose play area – too small

How to handle fence

- 5' high open black picket fence
- High enough not to reach over
- Create a more esthetic look
- No negative effect to Right of Way

Mike Weissen: With Children – 6' is safe

- Will go, but looking for happy medium

Jay Cooke: Fence is 8.5' from the curb line

- Fence to building – 7.5'+4' of Right of Way
- Total play area is about 12'x50' or 600 Sq. Ft.
- Requirement is 350'/10 kids – trying to get to 700'
- Need exact size

Roger McLarnon – Relocation of sign – Needs variance – need at 3'x3'

- Can do 4' on Dudley, but only 3' on Calvert

Positive criteria:

- Beneficial Use is satisfied
- Promotes the general welfare – suited for use
- Serves the community
- Free flow of traffic – do not drive to services
- Drop off and pickup zone

Negative impacts

- Childcare goes hand in hand with religious aspects
- No bulk changes
- Hours of operation works well

Jay Cooke: Safe Zones – does this provide

- Do work with Foster partners – can come to facility

Dan Smith: is the church active – when do they meet?

- Yes

- Sworn in: Pei Lin
 - Current services are Sunday from 9-12
 - Weekday evenings on Friday
- Parking issues
 - About 60, with about 15 cars

Lorraine Sallata: Synagogue on Atlantic Ave has events – will there be at this one

- No, only services – just small services

PUBLIC:

- Scotti Van-Duyne
 - Support – a great teacher for students
 - Never impacted on Sundays
 - Is a walking miracle
- Angela Salerno
 - All for this congregation
 - No Parking issues
 - Talked to others – all for it
- Gretchen Bennet
 - Very much in support
 - Have 2 young children – there now and will stay
 - No impact from current
 - Positive impact
- Karen Kratchman-Gold
 - Awesome idea to have daycare
 - Haven't seen a lot of current traffic
- Emily Van-Duyne
 - In support of school and Chabad House
 - Have done a lot to help
- Even Klement San Martine
 - Been taking children since they were 3 months old – now 4+ years old
 - Very lucky to have
 - Great service to be closer
- Sylan Garfinkel
 - Been a summer resident – now full time
 - A long walk now
 - Adding another house of worship is a plus
- Ronald Zooker
 - Resident of Margate
 - Real need for more space
 - Work the Walk

- Joey Alleham
 - From Margate
 - Have 4 small children
 - Have heard great things about the daycare
 - Thank for the consideration
- Matan David
 - Live across from the Pickleball
 - In short supply of daycare
 - Really need this
 - No parking issues

Willis Flower – Attorney

- Represents William Lacovara
- Questions Jon Barnhardt
 - Agree Church & Synagogues are good
 - Play area – Show on plan
 - Front area along Calvert
 - Total square feet are 780'
 - Regulations say 350'/10 children – allow for 22
 - How many will this hold
 - Max is 23 based on approvals
 - School operates M-F – Most by auto
 - Drop off on Dudley
 - Parking – ask to describe
 - Propose 50'
 - 2 spaces and room to get out onto street
 - Will get out and walk to building
 - At entrance a greeter will take child in
 - New Activity in area
 - Take into consideration # of employees –
 - 4
 - Is there maintenance
 - As needed
 - Inside in rooms
 - Trash & waste – where stored?
 - In rear of building
 - Are there meals
 - Bring own
 - Trash & Waste will increase from current
 - Moving sign – from front to corner area
 - To make more room for children
 - To make more visible
 - Fencing – a picket fence
 - Height – Max of 6'

- Encroaches from – requested variance for location and height
- Site is well suited?
 - Offsite parking – none – not necessary
 - Have to park if needed
- Availability of parking – very available to hard to find
 - Summertime and Weekends are hard
- An impact to other businesses
- Pickleball has off street parking
- Would people want to use the Pickleball parking?
 - There are none to use
- Would it be easier to use Dudley or the Pickleball
 - Dudley – it is used daily
- Calvert is a 2-way street

Willis Flower – questions Cherry Lemmerman

- Will there be meals
 - Don't serve – bring box lunch
 - Do not prepare food
- There will be no more than 23 students
- Staffing and drop offs
 - Teacher to children about 12
 - Work on different start times
 - Takes about an hour and a half to complete
- Discuss drop off procedure
 - Greeter to bring children in
 - Can do multiple at same time

Willis Flowers – Questions Rabbi Rapoport

- Other location in area
 - Used for school and religious services
- This will service people who walk in
 - No other items planned
- On holidays will there be anything else
 - Is a house of worship
 - If falls on a weekday, will have things
- Educational Programs
 - None planned

Joel Fleischman – instructions on how to do drop off

- Yes, all told
- Other parking areas – you have no control
 - No
- Will there be a maintenance person
 - No

Willis Flowers – Witnesses

- Bill Lacovara
 - Owner of Pickleball building and house behind
 - Parking in area – no parking left side of Calvert
 - Discusses people who park and when
 - Cannot get car in and out
 - 302 Dudley – son will live there
 - Other businesses – adjacent to Pickleball
 - If there is an event – is a busy street
 - Taking of parking spots on Dudley
 - Will hurt
 - Will make more crowded
 - Does Dudley have parking on both sides
 - Yes, a tight street
 - Off street parking for Pickleball
 - Have 9 spaces
 - Have had issues
- Barbara Allen Wooley-Dillon
 - Professional Planner
 - Discusses credentials
 - Discusses plans and presentations
 - Discusses neighborhood of proposed plan
 - In an area with a lot of commercial with residential around
 - Variances
 - Is site well suited – opinion
 - Do not concur with plan
 - Covid has had an impact
 - Adding another non-conforming use
 - Discusses case law
 - Egress of children – drop off zone
 - Is it safe and efficient
 - Tight street – opening into traffic is an issue
 - Site suitability – need to look at
 - Not appropriate for additional use
 - Picket fence – 4'-6' high
 - Permitted fence allowable is only 3'
 - Proposed infringement on right of way
 - More challenged
 - At sidewalk edge is sign
 - Site triangle issues
 - Current areas of non-conformity
 - Lot is only about 4000 sq ft
 - Lot width issues
 - Others – discusses all

- Discusses existing non-conformities
- Site suitability vs non-conformity
 - Extends use all the way to the sidewalk
 - Add more intensity to the site
- Variances vs site suitability
 - Contradicts zoning – challenges
 - Against 5-6 purposes of zoning
- Impact on property values
 - Mr. Fleischman objects
 - Question withdrawn
- Identifies negatives

Jay Cooke: Questions to witness

- How many non-conforming uses in the City
 - A few
- How many commercial properties with no parking
 - Quite a few

Roger McLarnon – What is requirement for on street parking

The is no requirement

Joel Fleischman – Questions witness

- Talk about traffic in area – did you do a traffic study
 - No
- Do you live in the area
 - About 20 years ago
 - Things have changed
- Discusses setback – new variances
 - are existing non-conformities
- Any changes other than the fence
 - Just the facade
- Are changes minimal
 - Hesitant based on changes requested
- As long as satisfy one part of zoning we satisfy the positive?
 - Yes
- But have to satisfy the negative
- Not departing the religious use

Jay Cooke: How many churches are in residential areas

All

Willis Flowers: Is the outdoor play area a change to the site?

- Yes

Is it minimal?

- Not at 700' compared to a total of 4000'

Mike Weissen: With Wawa out and Pickleball in – is there less or more traffic?

- A lot with Wawa – Assume less now

Lorraine Sallata: On Calvert – not considered a busy street

Willis Flowers – It is complex

Mike Weissen: To Rabbi Rapoport – is the sale contingent on this

- Not necessarily but hope for the childcare

Lorraine Sallata: Loading Zone – can we request time limits – only during week

- Can eliminate weekends

Board Takes 5-minute Break

Rabbi Rapoport: responds to Loading Zone approval

Have spoken with Police Chief

Dudley Ave best option

Joel Fleischman: Summation

- Overwhelming support
- Satisfy all the criteria
 - Take over church and add day care
- Inherently beneficial to community
- D Variance- satisfies all needs
- Put in loading zone – need request form Commission
- This will be a reduction in traffic
- Number of students driven by Department of Health
- Public good – a religious institution
- Always have tension with commercial and residential back-to-back
- Religious Land Use Act – ALUPA
 - Least restrictive means
- To welcome religious institutes into community

- Seek waiver of site plan
- C Variances
 - Waiver Site plan
 - Building mounted sign 12'x1'
 - Fence – 5' high in ROW
- D Variance – use for school

Board discusses fence

- Consensus is 5' fence
- Move free standing sign 3' from Calvert
- Parking Variance – 4 spaces vs 0

D variance

- R2 Pre-school not permitted
- D to allow use

Landscaping:

- Add 4 street trees
- Maintain Governor strip

Bollards:

- Add on side of building – facing Pickleball
- Recommended by State – 48" above grade
- 8 total

Leo Manos: Conditions

- Fence 5' in front – subject to encroachment license – open picket
- Occupancy – subject to Department of Health – not to exceed 23
- Loading area – subject to City approval
- Maintain Governor strip
- Bollards as noted
- Compliance plans

Use needs 5 out of 7 for approval

Motion: Lorraine Sallata

Second: Peter Tocco

VOTE:

- Jay Cooke – Yes
 - Church does exhibit safety, health, and morale – all for community
 - School – does many of same things – site on corner
 - Ample light and air – street no smaller – less traffic since Wawa left
 - Parking very low, size is suitable
- Lorraine Sallata – Yes
 - Do have churches in residential areas, teach many, enriches
 - Has always been a church
 - Good representation – all in favor
- Mike Weissen – Yes
 - Reminds of others, great start, others showed love for them
- Dan Smith III – Yes
 - Beneficial to community, know the site, skeptical of impact, but see low impact
 - Very user friendly
- Peter Tocco – Yes
 - Satisfied criteria, enjoyed location and good for more activity
- Tim Koob – Yes
 - Good for Ventnor, shown tonight, cares for children
- Greer Gaskill – Yes
 - None voted against it, hours of worship good
 - Kids need help any way they can get

Application Approved 7 in favor, 0 opposed

Motion for C Variances

- Dan Smith
- 2nd: Lorraine Sallata

Vote:

Jay Cooke: Yes

- Children benefit, pre-existing non-conformities, Quiet
- Drop off Zone – secure and safe

Lorraine Sallata: Yes

- Add to Quality of Life and success

Mike Weissen: yes

- Agree with all said

Dan Smith: Yes

- Understand the drop off, quick and efficient, no impact

Peter Tocco: Yes

- Usability of property – no impact

Tim Koob: Yes

- Reasonable, enhances area

Greer Gaskill: Yes

- Agree all stated

Motion Passes 7 in favor, 0 opposed

Other Business:

- None

Motion to Adjourn: Peter Tocco

2nd: Don Siglin

Approve: all

Meeting Adjourned at 10:20 pm